

REMARKS

Please reconsider the application in view of the foregoing amendments, an unsigned copy of Rule 132 Affidavit and the following remarks.

The undersigned, applicants' attorney of record, hereby declare that a signed copy of Rule 132 affidavit had not arrived at our office on the day of filing of this submission under 37 C.F.R. §1.114. Therefore, an unsigned copy of Rule 132 affidavit, which arrived as a facsimile, is being submitted with the instant Response. A signed copy of Rule 132 affidavit will follow in a supplemental response.

Status of Claims

Claims 1-4, 6-9 and 15 are pending in the present application. Claims 1-4, 6-9 and 15 are herein amended. Claims 10-14 and 16 are herein cancelled. No new matter has been entered.

As to the Merits

As to the merits of this case, the Examiner sets forth the following rejections:

Claims 1-4 and 6-16 were rejected under 35 U.S.C. 103(a) as obvious over Tanaka et al. (JP 09-068605), Taniguchi et al. (USPN 2003/0086030) and Richard (USPN 6,421,104).

Claims 14 and 15 were rejected under 35 U.S.C. 103(a) as obvious over Tanaka et al. (JP 09-068605), in view of Moller et al. (USPN 2003/0020399).

Applicants have amended the claims to further distinguish from the combination of the cited prior art references.

Claim Rejections – 35 U.S.C. §103(a)

In order to easily compare claim 1 with above references, each constituent element was symbolized (A) - (F) as follows:

An organic electroluminescence element, comprising

- (A) a transparent substrate composed of a lens array sheet having a plurality of pyramid-shaped recesses on a surface of its transparent base material film,
- (B) a transparent electrode layer stacked on the transparent substrate,
- (C) an organic electroluminescence material layer stacked on the transparent electrode layer, and
- (D) a metal electrode layer stacked on the organic electroluminescence material layer,
- (E) wherein said transparent base material film is arranged so that a surface of said transparent base material film having pyramid-shaped recesses is most exterior surface of the layers comprising an organic electroluminescence element and
- (F) a width “s” between adjacent recesses is more than 0% and not more than 50% of a length “a” of one side of the bottom surface of the recess.

Tanaka et al.

Tanaka et al. indicate in at least figure 1 and paragraphs 6, 7, a lens array sheet having a plurality of pyramid-shaped projections. However, they fail to teach the width “s” between adjacent projections or recesses must be more than 0% and not more than 50% of the length “a”. Therefore, they do not disclose the constituent element (A) and (F). In addition, Tanaka et al. indicate in Figure 2 that the crystal element (3) is arranged above the lens array sheet. Hence Tanaka et al. do not disclose the constituent element (E).

Taniguchi et al.

Taniguchi et al. also indicate constituent element (E). They indicate in Figure 8 that the width “s” between adjacent projections is more than 0% and not more than 50% of the length “a”. However, they fail to teach the lens array sheet having a plurality of pyramid-shaped recesses (constituent element (A)). Hence, they also fail to teach constituent (F).

Richard

Richard discloses the lens array sheet having pyramidal recesses. Therefore, it indicates at least the constituent element (A). However, it fails to teach the constituent element (F).

Furthermore, it also fails to teach the constituent element (E), because it indicates in Figure 1 that the light guide (20) is arranged above the lens array.

Moller et al.

Moller et al. disclose in at least Figure 2 that an analogous substrate to be used with a display device having an organic electroluminescence element. And they indicate the constituent element. However, they fail to teach the constituent element (A) and (F).

Comparing the claimed invention of this application with the references

The electroluminescence element of the present invention exhibits remarkable efficiency in improving light condensing, by comprising above constituent elements (A) - (F). And the constituent elements (E) and (F) are most essential element to achieve the effect for the reasons to follow. However, the electroluminescence element comprising both constituent elements (E) and (F) are not disclosed in the above references.

At first, by comprising the constituent (F), the lens array sheet of the organic electroluminescence element of the present invention is more scratch-resistant. **In addition, Applicants submit the attached Declaration under Rule 132 to clarify the above point.** And the lens array sheet being more scratch-resistant enhances light condensing efficiency. In other words, generating of the crack in the surface directly reduces the condensing efficiency.

Second, because the surface of said transparent base material film having pyramid-shaped recesses is most exterior surface of the layers comprising an organic electroluminescence

element, the efficiency of scratch-resistant is desired in the claimed invention. For this reason, not only constituent elements (F) but also constituent elements (E) are indispensable in the claimed invention.

As stated above, none of above references (Tanaka et al., Taniguchi et al., Moller et al. and Richard) disclose the lens array sheet comprising both constituent elements (E) and (F). On the other hand, though Richard discloses the lens array sheet comprising the constitute element (F), it does not disclose the lens array sheet comprising the constitute element (E).

As such, the claimed invention is not obvious in view of Tanaka et al., Taniguchi et al., Moller et al. and Richard and, therefore, a person of ordinary skill in the art would not make the combination suggested by the Office as obvious. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. § 103 be withdrawn.

Conclusion

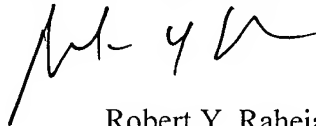
The Claims have been shown to be allowable over the prior art. Applicants believe that this paper is responsive to each and every ground of rejection cited in the Office Action dated June 9, 2009, and respectfully request favorable action in this application. The Examiner is invited to telephone the undersigned, applicants' attorney of record, to facilitate advancement of the present application.

Application No.: 10/524,117
Art Unit: 2879

Submission under 37 CFR §1.114
Attorney Docket No.: 052137

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read 'Robert Y. Raheja', is positioned above the printed name.

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Attachment: Declaration under 37 C.F.R. §1.132